

REMARKS

Claims 1-8 and 10 are now pending in the application. Minor amendments have been made to the specification and claims to simply overcome the objections to the specification and rejections of the claims under 35 U.S.C. § 112. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

SPECIFICATION

The specification stands objected to for certain informalities. Applicant has amended the Claims according to the Examiner's suggestions. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

REJECTION UNDER 35 U.S.C. § 112

Claim 8 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended the claim to omit the limitation lacking antecedent basis per Examiners comment, and therefore respectfully believes this rejection has been traversed.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 3-7, 10 and 8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Holloway et al. (U.S. Pat. No. 5,193,829). This rejection is respectfully traversed.

Applicant respectfully acknowledges Examiners references to the similarities in the Holloway 829' patent with the present application, but would like to point out the following key variations. Primarily, the 829' patent does not comprise a *unitary* lower support structure as disclosed and taught by Applicants invention. Rather, the 829' patent has a sub-structure for support comprising the board 70, supporting tube members 118, bushing 106, and receiver frame 60. Applicants unitary support structure eliminates the need for multiple elements, which is not disclosed, taught or anticipated by Holloway 829'.

Secondly, Applicant believes Holloway 829' fails to teach, disclose or anticipate the plurality of crossing walls 26 taught by Applicant for integral support. Holloway merely teaches and discloses ribs 78,80 extending the full *length* of the board. (Column 3, lines 21-24). Applicants crossing walls 26 are perpendicular in orientation to the longitudinally running integral support walls 28, and add to the integrity of the support structure by preventing stress flexation.

With regard to Examiners rejection to Claims 3 and 4, for the sake of brevity, Applicant respectfully reiterates that the 829' does not comprise a unitary lower support structure, but rather is comprised of multiple components.

Regarding Claims 5, 8 and 10, the 829' patent teaches of an upper 'runner' 92 which attaches to a *top* surface of the board 70. It does not envelope the entire unitary

lower support structure as taught by Applicants invention. Furthermore it attaches by a means of a plurality of longitudinal tongues 94, 96, 98, 100 which are received in corresponding grooves 84, 86, 88, 90 located in the board 70. Holloway does not teach, anticipate, nor render obvious the use of fasteners as a means of attaching the multiple components. Applicant has amended the Claims herein to more particularly point out these aspects of the present invention, which were contained in the original disclosure.

With regard to Claim 6, Applicants respectfully would like to point out that the present invention is not limited to a molded material such as rubber, as taught by Holloway. Rather Applicant's step cover may embody any number of anti-slip method such as adhesive grit-strips, texturing or grooves.

Claims 1-6, and 8-10 further stand rejected under 35 U.S.C. § 102(b) as being anticipated by Lanoue et al. (U.S. Pat. Application Publication No. 2003/0006576). This rejection is respectfully traversed.

Primarily, Applicant would like to respectfully point out to the Examiner, that the present invention requires no welding process during its assembly process. The two components are self interlocking, reducing the resources, materials, labor and costs of producing the present invention. Lanoue clearly teaches that their components are welded together, requiring special tools and materials. Furthermore, in welding, it is necessary to introduce additional components above and beyond the upper and lower support members such as thin strands of material 106 as taught by Lanoue. Applicant has respectfully cancelled Claim 9 in light of Examiners reference to welding of the components.

Secondly, Lanoue et al. does not teach disclose, nor anticipate the plurality of crossing walls, integrated in the lower support structure of Applicants invention. As noted above, these crossing walls 26 are perpendicular in orientation to the longitudinally running integral support walls 28, and add to the integrity of the support structure by preventing stress flexation.

Lastly, the top portion(s) 14, 104, 204, 304 of the Lanoue application are simply stated for the sake of brevity, just top portions. They are mounted on a top surface of a lower portion 102, and Lanoue does not teach, disclose, nor anticipate the Applicants invention wherein the lower support structure is enveloped by the upper step component 12. This feature is key to both the securement of the step component to the support structure, as well as an aesthetic deterrent to preventing excess moisture, dirt or other foreign matter from finding its way inside the running board, by eliminating a lateral seam.

Applicant has amended the claims herein to more particularly point out the subject matter which applicant regards as his invention, and therefore respectfully requests the withdrawal of the rejections based upon 35 U.S.C. §102(b).

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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